

Disciplinary Committee Inquiries

The Disciplinary Committee of the GBGB were in attendance at a meeting held on 22 February 2011:-

Mr J Akerman (in the chair)

Dr E Houghton

Mr A Hunt

*Dr A Higgins

(*denotes where Dr Higgins was present as Chair of DMAP)

1. Mr Neil Fountain

In considering an application for a Greyhound Trainer's licence from Disqualified Person Mr Neil Fountain, the Disciplinary Committee noted that there were serious breaches of the Rules of Racing in 1995, and in considering Mr Neil Fountain's current application the reputation of the sport and the welfare of the greyhounds was uppermost in the Committee's minds.

The Committee were concerned at the reported threatening behaviour towards the local stewards, as noted by the NGRC Stewards in November 1995.

The Committee noted the assurances given by Mr Fountain regarding his future conduct. In view of the elapse of time since the original Rule breaches, the Committee were prepared to give Mr Fountain the opportunity to prove his trustworthiness.

The Committee determined that Mr Fountain be granted a Greyhound Trainer Licence subject to:-

- i) a probationary period of two years with conditions to be set by the Director of Regulation,
- ii) the receipt of three appropriate references to the satisfaction of the Director of Regulation, one of which must be from an individual from outside the sport.

2. Criminal Convictions

Former Kennelhand Mr R Flynn

On 6 December 2010, at the Central Criminal Court, Mr Ross Flynn was convicted of manslaughter and received a custodial sentence of 7 years.

A criminal conviction is a breach of the GBGB Rules of Racing, in particular a breach of Rule 152 (ii).

The Disciplinary Committee took into account the fact that the criminal conviction arose from events which were not directly linked to greyhound racing. However, the offence was of such gravity that an immediate term of imprisonment was imposed.

Taking into account the circumstances of the case and the facts of the conviction, the Disciplinary Committee determined that Mr Flynn be disqualified for an indefinite period.

Greyhound Trainer Mr K Railton

On 6 January 2011, at Newcastle Crown Court, Mr Kevin Railton was convicted of conspiracy to fraudulently evade £1.8 million in excise duty on the importation of cigarettes between 1 April and 19 November 2008. He was sentenced to 32 months imprisonment.

A criminal conviction is a breach of the GBGB Rules of Racing, in particular a breach of Rule 152 (ii).

The Disciplinary Committee took into account the fact that the criminal conviction arose from events which were not directly linked to greyhound racing. However, the offence was of such gravity that an immediate term of imprisonment was imposed.

The Disciplinary Committee noted and took into consideration the written submission by Mr Railton's sister, in support of his application.

Taking into account the circumstances of this case and the facts of the conviction, the Disciplinary Committee determined that Mr Railton be disqualified for an indefinite period.

Former Professional Trainer Mr T Griffiths

On 6 January 2011, at Newcastle Crown Court, Mr Thomas Griffiths was convicted of conspiracy to fraudulently evade £1.8 million in excise duty on the importation of cigarettes between 1 April and 19 November 2008. He was sentenced to 12 months imprisonment.

A criminal conviction is a breach of the GBGB Rules of Racing, in particular a breach of Rule 152 (ii).

The Disciplinary Committee took into account the fact that the criminal conviction arose from events which were not directly linked to greyhound racing. However, the offence was of such gravity that an immediate term of imprisonment was imposed.

The Disciplinary Committee noted that no written submission was submitted by, or on behalf of Mr Griffiths.

Taking into account the circumstances of the case and the facts of the conviction, the Disciplinary Committee determined that Mr Griffiths be disqualified for an indefinite period.

The Committee requested that early discussions be held with Mr Griffiths and the affected trainers to ensure that the welfare of greyhounds in Mr Griffiths' ownership was not jeopardised.

3. *Henlow Stadium – KILARA MAC – Greyhound Trainer Mr S Gaughan

Greyhound Trainer Seamus Gaughan was found in breach of rules 174 (i)(b) and 217 in that a urine sample taken from the greyhound KILARA MAC at Henlow Stadium on 7 October 2010 was analysed by LGC Ltd. as containing the presence of Methylprednisolone.

Mr Gaughan was in attendance and was represented by Professional Trainer Mr John Coleman. Mr John Points, Head of Residues at LGC Ltd., attended as an observer. Mr Paul Mellor, racing manager of Henlow Stadium, apologised for his non-attendance.

The Disciplinary Committee considered carefully the circumstances around this case, in particular the possible train of events put forward by Mr Gaughan and his representative on the day of the hearing. Despite the affected person not taking steps to assemble evidence to support the credibility of his explanation, the Disciplinary Committee was satisfied, on the balance of probabilities, that Mr Gaughan did not administer the drug. However, some of the GBGB rules of racing impose strict liability on the trainer or registered sales agent.

The Disciplinary Committee took into account Mr Gaughan's unblemished record over 37 years and, having considered his explanation together with the circumstances of the case, made no order.

4. *Henlow Stadium – PARKGARRIF POWER – Greyhound Trainer Mr D Power

Greyhound Trainer Mr Denis Power was found in breach of rules 152 (i), 174 (i) (b), 214 and 217 in that a urine sample taken from the greyhound PARKGARRIF POWER at Henlow Stadium on 7 October 2010 was analysed by LGC Ltd. as containing the presence of Theophylline.

Mr Power was in attendance. Mr Paul Mellor, racing manager of Henlow Stadium, apologised for his non-attendance.

Having considered his explanation together with the circumstances of the case, the Disciplinary Committee ordered that Mr Power be reprimanded and fined £250. The penalty takes into account Mr Power's previous good record.

The Committee also disqualified the greyhound PARKGARRIF POWER in accordance with Rule 175 and determined that Rule 94 should be applied in respect of the repayment of prize monies for 7 October and 10 October 2010.

The Committee also strongly advised Mr Power to review his greyhound feeding regime.

5. *Sheffield Stadium – ALL DONE TOMAS / COOLE CONNIE / BOXHEDGE – Sales Agent Mr G McCusker

Sales Agent Mr Gerry McCusker was found in breach of rules 152 (i), 174 (i)(a) and 217 in that urine samples taken from the greyhounds ALL DONE TOMAS, COOLE CONNIE and BOXHEDGE at Sheffield Stadium on 3 October 2010 were analysed by LGC Ltd. as containing the presence of Theobromine;

and the administration of any substance that could affect the performance and/or well being of the greyhounds.

Mr McCusker and Mr Lee Duffy, former racing manager of Sheffield Stadium, apologised for their non-attendance. The Committee expressed its disappointment that Mr McCusker was not present at the hearing. The Disciplinary Committee was informed that Mr McCusker had bought a number of greyhounds over from Ireland to be sold at the Sales Trial. He stated that he ran out of food for them and purchased weetabix. He stated he was not aware of the consequences of feeding a chocolate mix to greyhounds.

Some of the GBGB rules of racing impose strict liability on the trainer or registered sales agent. Having considered his written explanation together with the circumstances of the case, the Disciplinary Committee ordered that Mr McCusker be reprimanded and fined £500.

6. *Poole Stadium – LITTLETON BILLY – Professional Trainer Mr DMK Heard

Professional Trainer Mr Douglas MK Heard was found in breach of rules 152 (i), 174 (i)(a), 214, 215, and 217 in that a urine sample taken from the greyhound LITTLETON BILLY at Poole Stadium on 26 October 2010 was analysed by LGC Ltd. as containing the presence of Morphine; and the administration of any substance that could affect the performance and/or well being of the greyhound.

Mr Heard and Mr John Ross, joint racing manager of Poole Stadium, apologised for their non-attendance. The Committee noted that Mr Heard was unable to attend due to racing commitments.

In his written submission, Mr Heard said that on the day of the race, 26 October 2010, he ran out of breakfast cereal and purchased bread from a local bakery.

Having considered his written explanation together with the circumstances of the case, the Disciplinary Committee ordered that Mr Heard be reprimanded and fined £400. The penalty takes into account his previous good record.